

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
NORTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

Case: 1:23-cr-20168

v.

KIJUAN D. ROSS,

Defendant.

Violations:

21 U.S.C. § 841(a)(1)
18 U.S.C. § 924(c)(1)(A)(i)
18 U.S.C. § 922(g)(1)
18 U.S.C. § 922(o)(1)

FILED
APR 26 2023
U.S. DISTRICT COURT
BAY CITY, MICHIGAN

FIRST SUPERSEDING INDICTMENT

THE GRAND JURY CHARGES:

COUNT ONE
POSSESSION WITH INTENT TO DISTRIBUTE METHAMPHETAMINE
21 U.S.C. § 841(a) and 841(b)(1)(B)(viii)

On or about August 31, 2022, at a residence in the Eastern District of Michigan, KIJUAN D. ROSS knowingly possessed with the intent to distribute 50 grams or more of a mixture or substance containing a detectable amount of methamphetamine, a Schedule II controlled substance, in violation of Title 21, United States Code, Section 841(a)(1) and 841(b)(1)(B)(viii).

COUNT TWO
POSSESSION WITH INTENT TO DISTRIBUTE COCAINE BASE
21 U.S.C. § 841(a)

On or about August 31, 2022, at a residence in the Eastern District of Michigan, KIJUAN D. ROSS knowingly possessed with the intent to distribute a mixture or substance containing a detectable amount of cocaine base, a Schedule II controlled substance, in violation of Title 21, United States Code, Section 841(a)(1).

COUNT THREE
POSSESSION OF A FIREARM IN FURTHERANCE OF A DRUG
TRAFFICKING CRIME
18 U.S.C. § 924(c)(1)(a)(i)

On or about August 31, 2022, in the Eastern District of Michigan, KIJUAN D. ROSS, knowingly possessed a firearm, that is, one Feather, Model AT-9, 9mm caliber rifle, one Ruger, Model Mark IV, .22 caliber, semi-automatic pistol, one Ruger 57, Model 5.7, 5.7x28mm caliber, semi-automatic pistol, one Smith & Wesson, Model M&P, .40 caliber semi-automatic pistol, and one Weihrauch Windictor, Model 38 special, .38 caliber revolver, in furtherance of a drug trafficking crime for which he may be prosecuted in a court of the United States, that is, possession with intent to distribute methamphetamine, as alleged in Count One of this Indictment, and possession with intent to distribute cocaine base, as

alleged in Count Two of this Indictment, in violation of Title 18, United States Code, Section 924(c)(1)(a)(i).

COUNT FOUR
FELON IN POSSESSION OF A FIREARM
18 U.S.C. § 922(g)(1)

On or about August 31, 2022, in the Eastern District of Michigan, KIJUAN D. ROSS, knowing he had been convicted of an offense punishable by a term of imprisonment exceeding one year, knowingly possessed, in and affecting commerce, a firearm, that is, one Feather, Model AT-9, 9mm caliber rifle, one Glock, Model 19, 9 mm caliber semi-automatic pistol, one Ruger, Model Mark IV, .22 caliber, semi-automatic pistol, one Ruger 57, Model 5.7, 5.7x28mm caliber, semi-automatic pistol, one Smith & Wesson, Model M&P, .40 caliber semi-automatic pistol, and one Weihrauch Windictor, Model 38 special, .38 caliber revolver in violation of Title 18, United States Code, Section 922(g)(1).

COUNT FIVE
POSSESSION OF A MACHINEGUN
18 U.S.C. § 922(o)

On or about August 31, 2022, in the Eastern District of Michigan, KIJUAN D. ROSS, knowingly possessed a machinegun, that is, a Glock, Model 19, 9mm caliber pistol modified to fire automatically more than one shot without manual

reloading by a single function of the trigger, in violation of Title 18, United States Code, Section 922(o).

FORFEITURE ALLEGATION

The allegations contained in Counts One and Two of this Indictment are hereby re-alleged and incorporated by reference for the purpose of alleging forfeiture pursuant to Title 21, United States Code, Section 853(a). The allegations contained in Counts Three, Four and Five of this Indictment are hereby re-alleged and incorporated by reference for the purpose of alleging forfeiture pursuant to Title 18, United States Code, Section 924(d) and Title 28, United States Code, Section 2461(c).

Pursuant to Title 21, United States Code, Section 853, upon conviction of an offense in violation of Title 21, United States Code, Section 841, the defendant shall forfeit to the United States: (1) any property, real or personal, constituting, or derived from, any proceeds obtained, directly or indirectly, as the result of such offense; and (2) any property used, or intended to be used, in any manner or part, to commit, or to facilitate the commission of, the offense.

Pursuant to Title 18, United States Code, Section 924(d) and Title 28, United States Code, Section 2461(c), upon conviction of any offense(s) in violation of Title 18, United States Code, Sections 922(g) and 924(c), the defendant shall

forfeit to the United States any firearms and ammunition involved in or used in the knowing commission of the offense(s).

THIS IS A TRUE BILL.

s/Grand Jury Foreperson

GRAND JURY FOREPERSON

Dated: 04-26-2023

DAWN N. ISON
United States Attorney

s/Anthony P. Vance

ANTHONY P. VANCE
Assistant United States Attorney
Chief – Branch Offices

s/Katharine Hemann

KATHARINE HEMANN
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Companion Case information MUST be completed by AUSA and initialed

United States District Court Eastern District of Michigan	Criminal Case Cover Sheet	Case Number
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NOTE: It is the responsibility of the Assistant U.S. Attorney signing this form to complete it accurately in all respects.

Companion Case Information	Companion Case Number:
This may be a companion case based upon LCrR 57.10 (b)(4) ¹ :	Judge Assigned:
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	AUSA's Initials: KH

Case Title: USA v. Kijuan D. Ross

County where offense occurred: Saginaw County

Check One: **Felony** **Misdemeanor** **Petty**

 Indictment/ Information --- no prior complaint.

 Indictment/ Information --- based upon prior complaint [Case number:] 22-mj-30516

 Indictment/ Information --- based upon LCrR 57.10 (d) [Complete Superseding section below].

Superseding Case Information

Superseding to Case No: 23-cr-20168

Judge: Thomas L. Ludington

- Corrects errors; no additional charges or defendants.
- Involves, for plea purposes, different charges or adds counts.
- Embraces same subject matter but adds the additional defendants or charges below:

<u>Defendant name</u>	<u>Charges</u>	<u>Prior Complaint (if applicable)</u>
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Please take notice that the below listed Assistant United States Attorney is the attorney of record for the above captioned case.

Date: April 26, 2023

s/Katharine Hemann

Katharine Hemann

Assistant United States Attorney

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Attorney Bar #: WSBA #46237

¹ Companion cases are matters in which it appears that (1) substantially similar evidence will be offered at trial, (2) the same or related parties are present, and the cases arise out of the same transaction or occurrence. Cases may be companion cases even though one of them may have already been terminated.